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Paper No. 9

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OFFICE OF PETITIONS

In re Application of :
Benedict George Pacocha :
Application No. 09/515,748 :
Filed: February 29, 2000 :
Attorney Docket No. :

ON PETITION

This is a decision on the petition under 37 CFR 1.137(b), filed April 24, 2002, to revive the above-identified application.

The petition is **GRANTED**.

The above-identified application became abandoned for failure to reply in a timely manner to the Notice of Non-Compliant Amendment (37 CFR 1.121) mailed April 7, 2001. The Notice of Non-Compliant Amendment (37 CFR 1.121) set a period for reply of one (1) month or thirty (30) days (whichever is later) from the mail date of the Notice of Non-Compliant Amendment (37 CFR 1.121). No extensions of time under the provisions of 37 CFR 1.136(a) were obtained. Accordingly, the above-identified application became abandoned on May 8, 2001.

37 CFR 1.137(b)(3) requires a statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional. If the statement contained in the instant petition varies from the language required by 37 CFR 1.137(b)(3), the statement contained in the instant petition is being construed as the statement required by 37 CFR 1.137(b)(3) and petitioner must notify the Office if this is **not** a correct interpretation of the statement contained in the instant petition.

Telephone inquiries concerning this decision should be directed to Wan Laymon at (703) 305-9282.

The application file is being forwarded to Technology Center AU 1623.

Wan Laymon

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Petitions Examiner

Office of Petitions

Office of the Deputy Commissioner
for Patent Examination Policy